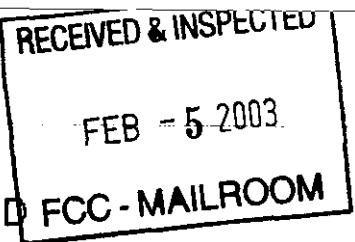




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February 3, 2003
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12 Street, SW
Room No. TWB-204
Washington, DC 20554

RE: CC Docket No. 02-33---Appropriate Framework for Broadband Access to the Internet over Wireline Facilities—Ex *Parte* Communication.

CC Docket No. 01-338---In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers.

CC Docket No. 96-98---Implementation of the Local Competition Provisions of the Telecommunications Act of 1996.

CC Docket No. 98-147---Deployment of Wireline Services Offering Telecommunications Capability.

Dear Ms. Dortch:

Today, Mr. Michael Tessler, President and CEO of Broadsoft, sent the attached letter, individually addressed to each of the following people: Chairman Michael Powell; Commissioner Kathleen Abemathy; Commissioner Kevin Martin; Commissioner Michael Copps; Commissioner Jonathan Adelstein; Wireline Competition Bureau Chief William Maher.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, a copy of this submission was also sent to each of the above-referenced people. If there are any questions regarding this submission, please contact me at the above number.

Respectfully submitted,

William L. Norton

William L. Norton

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Chairman Commissioner Michael K. Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: CC Docket No. 02-33---Appropriate Framework for Broadband
Access to the Internet over Wireline Facilities—Ex *Parte*
Communication.

CC Docket No. 01-338---In the Matter of Review of the Section 251
Unbundling Obligations of Incumbent Local Exchange Carriers.

CC Docket No. 96-98---Implementation of the Local Competition
Provisions of the Telecommunications Act of 1996.

CC Docket---Deployment of Wireline Services Offering Advanced
Telecommunications Capability.

Dear Chairman Powell:

I am Michael Tessler, president and chief executive officer of BroadSoft. We are a four-year-old Gaithersburg, Maryland company that focuses primarily on innovation in the Voice over Network/Voice over IP (VoN/VoIP) market.

Our primary product is an integrated system of servers and applications called BroadWorks™, which enables the execution, integration and management of enhanced voice services. Broadworks operates within a softswitch architecture or as an extension of Class 4 and 5 switch architectures to deliver a complete suite of voice services to users with broadband connectivity and integration to legacy voice services to deliver a complete end-to-end voice solution. Broadworks offers a compelling value proposition for service providers, especially those seeking revenue growth and looking to migrate to next generation voice infrastructure.

Broadworks empowers service providers and enterprise administrators with the ability to use the Web to conduct administrative functions via Broadworks' Web-based portal.

CommPilot™ provides an alternative user interface for enhanced services, replacing the cumbersome flash-hook and star codes of a standard phone. For administration, patent-pending CommPilot provides multiple tiers of intuitive, easy-to-use web

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Service
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enhanced
services



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interfaces that simplify configuration and management of services for the end-user, group administrator, and service provider. BroadWorks also integrates with other communications applications with features such as "Microsoft Integration," enabling voice mails to be captured within emails. Through Broadworks' patented ServiceOS™ technology, new services can be easily created in weeks compared to months and years associated with the monolithic circuit switches.

Needless to say, we have an important place in the telecommunications market since we are at the forefront in making voice services more valuable to consumers and business, more revenue enhancing to providers, and more easily and quickly deployed into the marketplace.

I am writing to you today to stress the importance to us of the decisions that the Commission will be making as it considers the above dockets. We look forward to action by the FCC to limit regulation on the new broadband services and facilities that have so much potential for the U.S. economy.

First, as a general matter, we strongly support the direction that the Commission appears to be taking with regard to broadband services and capabilities that support access to the Internet. We believe that the potential **of** that new technology can best be developed by market demand, not regulatory direction.

Second, we support the idea that those who risk investment by deploying new facilities to serve these new markets ought to be rewarded commensurate with that risk. It is through such risk-taking by a multiplicity of players that features, capabilities, and services are brought to the market.

Accordingly, we urge you to support the proposal put forth by the High Tech Broadband Coalition that would take steps towards both of these goals by limiting regulation of new fiber facilities, broadband electronics, and packet switching.

Thank you for your consideration of our needs and concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tessler". The signature is fluid and cursive, with the first name "Michael" and last name "Tessler" clearly distinguishable.

Michael Tessler